

REMARKS

Claims 12-22 and 28 were pending. Claim 28 is canceled herein. Thus claims 12-22 are now pending. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The applicants note with great appreciation the indication of allowance with regard to claims 12 - 16.

Claims 17-22 and 28 stand rejected under 35 USC 102(b) as being allegedly anticipated by Baiocchi, et al., *An ATM-Like System Architecture for Satellite Communications Including On-board Switching*, INTERNATIONAL JOURNAL OF SATELLITE COMMUNICATIONS, Vol. 14, Oct. 1996, pp. 386-412 (hereinafter "Baiocchi"). Claim 28 is canceled herein and will not be discussed. The applicants respectfully request that the rejection with regard to claims 17-22 be withdrawn for the following reasons.

The applicants respectfully submit that a close review reveals that the invention, according to each of the independent claims 17, 19 and 21, is drawn to a processing satellite communications system and method.

In contrast, the cited sections of Baiocchi, e.g., pp 391-393, and much of the remainder of the description in Baiocchi, is directed to statistical multiplexing and congestion control focusing primarily on the user terminal earth station (UTS). To the extent that Baiocchi focuses on on-board processing, only a circuit emulation mode and an ATM-like switch are described for V and D traffic respectively (see, e.g. page 391, col. 2, lines 31-33). There is no detailed description of how cells are handled for on-board processing and therefore the details and deficiencies associated with ATM-like switching are left undisclosed. Applicants submit that such an

incomplete description of the elements of the claimed invention is insufficient to establish or sustain a *prima facie* case of anticipation.

In section 2.3, which is cited by the Examiner as allegedly teaching the features of the independent claims, call set-up is described. It will be appreciated by one of skill in the art, that call set-up, by definition, is an end-user based operation and does not directly impact satellite on-board processing. Section 2.3 clearly describes that the UTS (a non-satellite component) interfaces with end-users who present the UTS with requests for capacities and the like. Each ***end-user connection***, e.g. each connection between the UTS and the end user, is assigned a virtual circuit identifier (VCI). The UTS is then assigned a virtual path identifier (VPI). At best, the cited section describes that the VPI indicates the physical inputs and outputs through the satellite (page 392, col. 1, lines 16, 17). However, this does not amount to an anticipatory disclosure of the claimed features.

For example, Baiocchi fails to disclose attaching a selected routing tag to a data cell based on the assigned VPI, the routing tag identifying a next virtual channel link as claimed. Moreover, in the claimed configuration, the assigned VPI is unchanged for each virtual channel link in a virtual connection. Baiocchi fails to disclose or suggest such features as recited, for example, in claims 19 and 21 in their present form, and claim 17 as amended herein.

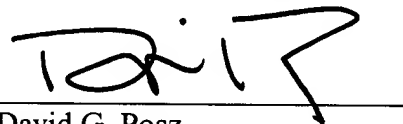
Accordingly, it is respectfully submitted that a *prima facie* case of anticipation has not properly been established in that the applied reference fails to disclose all the features of claims 17, 19 and 21 in the manner claimed. It is respectfully requested therefore that the rejection of claims 17, 19 and 21 be reconsidered and withdrawn.

Claims 18, 20 and 22, by virtue of depending from claims 17 and 19, are allowable for at least the reasons set forth hereinabove with regard to claims 17 and 19. It is respectfully requested therefore that the rejection of claims 18, 20 and 22 be reconsidered and withdrawn.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Posz', written over a horizontal line.

David G. Posz
Reg. No. 37,701

Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VA 20191
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400